IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL REVISION APPLICATION NO.82 OF 2005

Nitaben Vinod Shah ...Applicant

vs.

State of Maharashtra ...Respondent

Ms Rebecoa Gonsalvez for the Applicant
Mr.A.S.Gadkari,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : JULY 4,2005.

P.C.:

1. The Counsel appearing for the parties were heard on Friday 1st July 2005 and today Revision Application is kept for dictation of the order.

2. The Applicant is an accused in a case registered for offence punishable under sections 302,452, 120-B read with Section 34 of the Indian Penal Code.

3. The Application for discharge made by the Applicant has been rejected by the learned Additional Sessions Judge, Mumbai. The learned Counsel for the Applicant has taken me through various documents on record and the statements of the witnesses.

4. After having heard the Counsel for the Applicant and the learned A.P.P. for State, I find that there is enough material on record against the Applicant to proceed against

her. This is not a case where there is absolutely no material against the Applicant. Whether the evidence against the Applicant is sufficient for convicting her or not is a matter to be decided at the conclusion of the trial. The role alleged against the Applicant is that she planned the entire conspiracy with the other accused Rakesh. I find no reason to interfere with the order passed by the learned 4th Ad hoc Additional Sessions Judge, Mumbai by which the Application for discharge made by the Applicant is rejected.

6. Hence, there is no merit in the Application and this Revision Application is rejected.

7. All contentions of the parties on merit are kept open.

JUDGE